

## Warrick County Council Ordinance No. 2010-03 Late Payment Fees and Clerk's Perpetuation Fund

WHEREAS, IC 33-19-6-20, as added by SECTION 23 of P.L. 280-2001 ("Act"), authorizes a court to adopt a local rule to impose a late payment fee on certain defendants; and

WHEREAS, IC 33-19-7-1(f), as added by SECTION 25 of the Act, requires the clerk of the circuit court to monthly distribute to the county auditor one hundred percent (100%) of the late payment fees collected under IC 33-19-6-20; and

WHEREAS, IC 33-19-7-1(f)(1), as added by SECTION 25 of the Act, provides that, if directed to do so by an ordinance adopted by the county fiscal body, the county auditor shall deposit forty percent (40%) of the late payment fees collected under IC 33-19-6-20 in the clerk's record perpetuation fund established under IC 33-19-6-1.5 and sixty percent (60%) of the late payment fees collected under IC 33-19-6-20 in the county general fund; and

WHEREAS, IC 33-19-7-1(f)(2), as added by SECTION 25 of the Act, provides that, in the absence of an ordinance adopted in accordance with IC 33-19-7-1(f)(1), the county auditor is required to deposit all of the late payment fees in the county general fund; and

WHEREAS, the Clerk of the Warrick Circuit Court has requested that the Warrick County Council adopt an ordinance as described in IC 33-19-7-1(f)(1); now, therefore:

BE IT ORDAINED BY THE COUNTY COUNCIL OF WARRICK COUNTY,  
INDIANA:


SECTION 1. The Warrick County Council hereby directs the Warrick County Auditor to deposit forty percent (40%) of the late payment fees collected under IC 33-19-6-20 in the Clerk's Record Perpetuation Fund established under IC 33-19-6-1.5 and sixty percent (60%) of the late payment fees collected under IC 33-19-6-20 in the County General Fund.

SECTION 2. This ordinance applies to late payment fees distributed to the Warrick County Auditor after September 30, 2010.

THIS ORDINANCE SHALL BE DEEMED EFFECTIVE AFTER ITS ADOPTION AND  
EXECUTION THIS 2 DAY OF September, 2010.

  
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Gary Meyer, D.D.S., Member

  
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Greg Richmond, Member

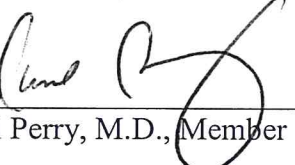
  
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Joe Schitter, Member

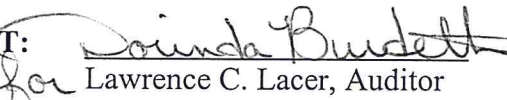
  
\_\_\_\_\_  
Brad Overton, Member

**WARRICK COUNTY COUNCIL**

  
\_\_\_\_\_  
Gerald Bass, Member

  
\_\_\_\_\_  
Nova Conner, Member

  
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Paul Perry, M.D., Member

ATTEST:  1st Deputy  
for Lawrence C. Lacer, Auditor  
Warrick County, Indiana